

1 Martha G. Bronitsky
Chapter 13 Standing Trustee
2 24301 Southland Dr #200
Hayward, CA 94545-1541
3 (510) 266 - 5580

4 Trustee for Debtor(s)

5 UNITED STATES BANKRUPTCY COURT
6 NORTHERN DISTRICT OF CALIFORNIA
7 OAKLAND DIVISION

8 In re

Delfin Favorito

Chapter 13 Case No. 10-41403-RN 13

10 debtor(s)

11 **Trustee's Motion and Declaration to**
12 **Dismiss Proceedings and Notice Thereon**

13 TO DEBTOR(S) AND DEBTOR(S)' ATTORNEY OF RECORD:

14 Martha G. Bronitsky, Chapter 13 Standing Trustee hereby moves the court for an Order
15 Dismissing these proceedings pursuant to 11 U.S.C. Section 1307(c) upon the grounds that the
16 debtor(s) is in material default for the following reasons:

17 Failure to file certification of pre-filing consumer credit counseling and/or declaration of exigent
18 circumstances re: pre-filing credit counseling.

19 NOTICE IS HEREBY GIVEN that debtor or the attorney of record may request a hearing in
20 writing stating specific grounds for objecting to the dismissal of these proceedings to the court and
21 served on the trustee no later than twenty-one (21) days from the date of service of this motion.

22 Trustee will then schedule a hearing date and notice debtor and the attorney of record of said
23 hearing date.

24 I declare under penalty of perjury that the foregoing is true and correct.

25 Date: March 30, 2010

26 /s/ Martha G. Bronitsky

27 Signature of Martha G. Bronitsky
28 Chapter 13 Standing Trustee

1 In re

Delfin Favorito

debtor(s)

Chapter 13 Case No. 10-41403-RN 13

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I have served a copy of the within and foregoing document on the debtor (s), counsel for debtor (s), and if applicable, the creditor, creditor representatives and the registered agent for the creditor by depositing it in the United States mail with first class postage attached thereto.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Delfin Favorito
Po Box 292
Newark, CA 94560

Pro Per

(Counsel for Debtor)

(Debtor(s))

Date: March 30, 2010

/s/ Veronica Valdez

Veronica Valdez